IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.184 OF 2000

Ms.Shilpa Debuka. ..Petitioner.

V/s.

Dynavok Electronics Ltd. ..Respondent.

None present in morning session.

Ms.S.H.Doshi for petitioner.

CORAM: A.M.KHANWILKAR,J

DATE : DECEMBER 20, 2007.

P.C. :

1. Although this Company Petition has been admitted, publication has been dispensed with in terms of order dated 22nd September, 2000. From the proceedings, it appears that the Petition has been adjourned from time to time in the past. Lastly, it was listed on 23rd November, 2007 when the Petitioner was directed to take certain steps. Office noting indicates that the said notice has not been sent by the Petitioner so far. No such intimation has been received by the Office.

2. As per the conditional order passed, the matter has been notified today under caption "dismissal". However, none appears in the matter

when it is called out.

3. Hence, dismissed for non-prosecution.

4. Later on, Counsel for the Petitioner appeared and pointed out that at the relevant time, she was held up in some other Court. For the reason mentioned across the bar, request for recalling the Order passed in morning session dismissing the Petition for non-prosecution is accepted. Accordingly, the Company Petition is restored to the file to its original number and proceeded further on merit.

5. Counsel for the Petitioner assures to take necessary steps for service of notice under Rule 28 within four weeks from today. That assurance is accepted.

6. If steps are taken in time, matter be proceeded for hearing as per its turn. If steps are not taken within four weeks from today, Petition be placed under caption "dismissal" on 4th February, 2008.

(A.M.KHANWILKAR,J)